

**GUIDE TO THE TRANSITIONAL LOCAL BANKRUPTCY RULES  
ADOPTED TO FACILITATE IMPLEMENTATION OF THE  
BANKRUPTCY ABUSE PREVENTION AND CONSUMER PROTECTION ACT OF 2005**

The United States Bankruptcy Court adopted the Interim Federal Rules of Bankruptcy Procedure and Forms through General Procedure Order 2005-6 which is posted on our web site at [www.cob.uscourts.gov](http://www.cob.uscourts.gov). The Court will refer to those rules as the Interim Bankruptcy Rules or I.B.R.

The Court adopted local rules to assist in the implementation of the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005. The Court will refer to the rules as the Transitional Local Bankruptcy Rules or T.L.B.R. It is anticipated that these rules will be refined, reexamined and expanded in the next ninety to 180 days.

The abbreviations used in the Transitional Local Bankruptcy Rules are as follows:

- I.B.R. = Interim Bankruptcy Rule(s): these are national rules that may ultimately become part of the Federal Rules of Bankruptcy Procedure in approximately 2008).
- G.P.O. = General Procedure Order: these are general orders entered by the Court for the adoption of certain procedures and are located on our web site.
- L.B.R. = Local Bankruptcy Rule(s): these are local rules officially adopted by the Court that are posted on our web site.
- L.B.F. = Local Bankruptcy Form(s): these are local official forms for use in cases that are posted on our web site.
- T.L.B.F.= Transitional Local Bankruptcy Form(s): these are local transitional official forms for use in cases filed after October 16, 2005, as referenced by a T.L.B.R.

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T.L.B.R. 1007-1 **INITIAL FILING REQUIREMENTS** (applies only to cases filed after October 16, 2005 and uses the Interim Bankruptcy Forms adopted by GPO 2005-6, replaces those portions of L.B.R. 102(d) and (e) relating to documents required and the filing of copies, and is subject to General Procedure Order 2001-8 Section II. A.5 for all chapters)

(a) Schedules, Statements and Other Documents Required. The following original documents should be submitted in this sequence to file a complete voluntary petition packet for relief under Chapters 7, 11, 12 and 13 (the forms are from the Interim Bankruptcy Forms and Transitional Local Bankruptcy Forms which can be located and obtained from [www.cob.uscourts.gov](http://www.cob.uscourts.gov)):

- Voluntary petition – Form B1 (10/05)
- Statement of Financial Affairs – Form B7 (10/05)
- Summary of Schedules A–J – FormB6–Summary (10/05)
- Schedules A, B, C, D, E, F, G, H, I, and J – Forms B6A through B6J (10/05)
- Declaration Concerning Debtor’s Schedules – Form B6 (10/05)
- Notice to Debtor by Non-Attorney Bankruptcy Petition Preparer – Form B19B (10/05) (submitted only if debtor used the services of a bankruptcy petition preparer)
- For each debtor, copies of all payment advices, paycheck stubs, or other evidence of all salary, commissions or income received within 60 days before the bankruptcy case was filed, copied on 8 ½ by 11 paper with the debtor’s first and last name printed on top of each page (and bankruptcy case number, if a number has been assigned); or, if applicable, complete T.L.B.F. 1007-1 (“Statement Concerning Payment Advices Due”) for each debtor.
- Attorney Fee Disclosure Statement – L.B.F. 102.1
- Verification of Creditors’ Matrix – L.B. Misc. Form List
- Creditors’ Matrix (on a computer floppy disk) (see attachment to GPO-2001-7 at [www.cob.uscourts.gov](http://www.cob.uscourts.gov) for instructions).

(b) Additional Items due from Individual Debtors:

- Statistical Summary of Certain Liabilities – Form B6 Summ2 (10/05)
- Certificate of Credit Counseling or Motion/Certification for Extension or Waiver
- Chapter 7 Individual Debtors:
  - Statement of Current Monthly Income and Means Test Calculation – Form B22A (10/05)
  - Statement of Intention – Form B8 (10/05) (due fifteen days post-petition)
- Chapter 11 Individual Debtors:
  - Statement of Current Monthly Income – Form B22B (10/05)
- Chapter 13 Individual Debtors:

- Statement of Current Monthly Income and Disposable Income Calculation – Form B22C (10/05)
  - Plan – T.L.B.R. 3015-1 (must be filed no later than fifteen days post-petition)
- (c) Additional Items due from Chapter 11 debtors:
- List of Twenty Largest Creditors – Form B4 (10/05)
  - List of Equity Interest Holders – Required by Fed.R.Bankr.P. 1007(a)(3)
- (d) The failure to timely file all documents required by 11 U.S.C. §§ 521 and 109, T.L.B.R. 1007-1, T.L.B.R. 3015-1 may result in the dismissal of your case under L.B.R. 505 and the United States Trustee’s Motion to Dismiss and/or under 11 U.S.C. §§ 707(a), 1112(b), 1208(c) or 1307(c), as applicable, without further notice, certification or hearing.

**T.L.B.F. 1007-1**

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF COLORADO

In re:

Case No. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
(INSERT NAME(S) OF DEBTOR(S))

Address \_\_\_\_\_

\_\_\_\_\_

Last 4 digits of SSN and/or EIN:

\_\_\_\_\_

Debtor(s).

Chapter \_\_\_\_\_

**Statement Under Penalty of Perjury Concerning Payment Advices  
Due Pursuant to 11 U.S.C. §521(a)(1)(B)(iv)**

I\*, \_\_\_\_\_ (Debtor's Name), state as follows:

I did not file with the Court copies of all payment advices or other evidence of payment received within 60 days before the date of the filing of the petition from any employer because:

\_\_\_\_\_ a) I was not employed during the period immediately preceding the filing of the above-referenced case \_\_\_\_\_ (state the dates that you were not employed);

\_\_\_\_\_ b) I was employed during the period immediately preceding the filing of the above-referenced case but did not receive any payment advices or other evidence of payment from my employer within 60 days before the date of the filing of the petition;

\_\_\_\_\_ c) I am self-employed and do not receive any evidence of payment from an employer;

\_\_\_\_\_ d) Other (Please Explain ) \_\_\_\_\_

I declare under penalty of perjury that the foregoing statement is true and correct.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_.

\_\_\_\_\_ (Signature of Debtor)

Debtor

\* A separate form must be filed by each Debtor

**Certificate of Service**

I certify that I served true and correct copies of the foregoing declaration by mailing a  
copy to each the following on this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_:

Trustee Assigned to the Case  
(Trustee's Address)

United States Trustee

\_\_\_\_\_  
Signed

**T.L.B.R. 1017-1 Dismissals** (applies to cases filed after 10/16/05, and replaces **L.B.R. 117** for cases filed after that date, see also T.L.B.R. 4002-1 Duties and Responsibilities Regarding Tax Information)

(a) **Submission to Trustee or Creditor of Tax Returns Under 11 U.S.C. § 521(e).**

- (1) No later than seven (7) business days before the first date set for the meeting of creditors, Chapter 7 and 13 individual debtors are required to provide the case trustee with a copy of their Federal income tax return, or a transcript of such return, for the most recent tax year ending immediately before the commencement of the case and for which a federal income tax return was filed. See I.B.R. 4002(b)(3).
- (2) The debtor is also required to provide any requesting creditor with a copy of such return or transcript if the request is made at least fifteen days prior to the initial meeting of creditors. See I.B.R. 4002(b)(4).
- (3) If the debtor was not required by law to file a tax return in any period covered by this rule, the debtor shall provide to the case trustee and any requesting creditors as referenced above a verified statement that no tax return was required to be filed and state the reason why a tax return was not required to be filed.
- (4) The debtor shall redact all personal information from tax returns or transcripts provided to the case trustee or requesting creditor. Redact the following: all but the last 4 digits of the social security number; all names of minor children; all but the last 4 digits of any bank, savings or similar accounts; and provide only birth year, not date of birth. (See, T.L.B.R. 4002-1.)
- (5) If the debtor fails to provide such Federal tax return or transcript, the trustee or a creditor may file a report that such document was not provided. A copy of the report shall be served on the debtor, debtor's counsel, the case trustee and United States Trustee. Any creditor that is a non-natural person must comply with L.B.R. 910.
  - (i) The report shall be accompanied by a notice that the debtor has ten days to object to the report and provide written verification that the failure to so comply is due to circumstances beyond the control of the debtor.
  - (ii) The notice of the report shall be in substantial conformity with T.L.B.F. 1017-1.

- (6) If no objection and verification are filed by the debtor, the debtor's failure to comply with the requirements to file tax returns or transcripts constitutes grounds for dismissal of the case pursuant to 11 U.S.C. §§ 707(a) or 1307(c), without further notice, certification or hearing.
- (b) **Hearing on Dismissal Pursuant to T.L.B.R. 1017-1 for failure to file tax returns.** If the debtor provides a response and written verification regarding the failure to file a tax return or transcript required under 11 U.S.C. § 521, then the Court will set the matter for hearing.
- (c) **General.** Failure to timely comply with the provisions of 11 U.S.C. § 521 (a)(1), I.B.R. 1007 and T.L.B.R. 1007-1 constitutes grounds for dismissal of the case pursuant to 11 U.S.C. §§ 707(a), 1112(b), 1208(c) or 1307(c), as applicable without further notice, certification, or hearing.

**T.L.B.F. 1017-1**

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF COLORADO

In re:

Case No. \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
(Insert Name(s) of Debtor(s))

Address \_\_\_\_\_

\_\_\_\_\_  
Last 4 digits of SSN and/or EIN:

Debtor(s).

Chapter \_\_\_\_\_

**REPORT OF DEBTOR'S FAILURE TO PROVIDE TAX RETURN PURSUANT TO 11 U.S.C. §521(e)(2) AND NOTICE OF PENDING DISMISSAL OF CASE PURSUANT TO T.L.B.R. 1017-1**

**TO THE DEBTOR AND THE ATTORNEY FOR THE DEBTOR:**

\_\_\_\_\_ in the above-referenced case, hereby certifies that despite a timely request the Debtor has failed to provide the (name of creditor or trustee) with a copy of the Federal income tax return or transcript of such return for the most recent tax year ending immediately before the commencement of the case and for which a Federal income tax return was filed, as required by 11 U.S.C. § 521(e)(2), I.B.R. 4002 and T.L.B.R. 1017-1;

NOTICE IS HEREBY GIVEN that, pursuant to T.L.B.R. 1017-1 and 11 U.S.C. § 521(e)(2), **the case shall be dismissed without further notice, certification, or hearing**, unless the Debtor files an objection with the Court by (specify date: 10 days + 3 for mailing). The Debtor's objection shall include such information as is necessary to demonstrate that the Debtor's failure to provide the tax return or transcript was due to circumstances beyond the control of the Debtor, as required by 11 U.S.C. §521(e)(2).

Dated:

Respectfully submitted,

/s/ (in compliance with L.B.R. 910)

Printed Name and Attorney Registration Number

Name of Firm

Street Address

City, State and Zip Code

Telephone and Fax Numbers

E-mail address



**CERTIFICATE OF SERVICE**

I hereby certify that a copy of this **REPORT OF DEBTOR'S FAILURE TO PROVIDE FEDERAL TAX RETURN PURSUANT TO 11 U.S.C. §521(e)(2)(A) AND NOTICE OF PENDING DISMISSAL OF CASE PURSUANT TO T.L.B.R. 1017-1** was mailed, postage prepaid, on \_\_\_\_ (date) \_\_\_\_, to the following:

Debtor's Attorney

Debtor

Trustee

United States Trustee

\_\_\_\_\_  
Signed

**T.L.B.R. 2002-1 Regarding Preferred Creditor Addresses.**

- (a) Designation of Preferred Creditor Addresses. The Court designates the Bankruptcy Noticing Center as the agency to support the preferred address requirements under 11 U.S.C. § 342(f) and, after December 1, 2005, Fed.R.Bankr.P. 2002(g)(4).

**T.L.B.R. 2083-1 PRECONFIRMATION CHAPTER 13 ADEQUATE PROTECTION PAYMENTS ON PERSONAL PROPERTY**

- (a) Preconfirmation Payments Pursuant to 11 U.S.C. § 1326(a)(1). Unless otherwise ordered by the Court, all preconfirmation adequate protection payments to holders of claims secured by personal property required under Section 1326(a)(1) shall not be made by the debtor directly to the secured claimant, but shall be paid to and disbursed in monthly payments by the Chapter 13 trustee. The debtor shall include as part of the preconfirmation plan payments to the trustee the amount required under Section 1326(a)(1), plus the amount necessary to pay the trustee's fee.
- (b) For the purpose of this rule, calculation of adequate protection shall be one percent (1%) of the outstanding principal balance due as of the date of the filing of the petition, unless otherwise ordered by the Court.
- (c) Payment of preconfirmation adequate protection is without prejudice to the secured creditor's right to object to confirmation of the debtor's plan or to seek determination as to value of the claim or the amount needed to provide adequate protection.
- (d) Preconfirmation disbursements by the Chapter 13 trustee under Section 1326(a)(1) are hereby authorized without further order, but such disbursements shall not be made unless such creditor has filed a proof of claim with the Court. Preconfirmation disbursements under Section 1326(a)(1) shall commence within 30 days of filing the proof of claim, unless the trustee has not received sufficient, cleared or good funds to make such payment. The trustee is authorized to deduct from an allowed claim all Section 1326(a)(1) preconfirmation disbursements and to retain the amount necessary to pay the trustee's statutory fee based upon the preconfirmation payments distributed by the trustee.

**T.L.B.R. 3015-1 Chapter 13 Plan Confirmation (ONLY applies to cases filed after October 16, 2005 and supercedes L.B.R. 315 and 320 and GPO 2004-3 as they apply to Chapter 13 confirmation.)**

**(a) Filing of the Plan.**

- (1) The plan should be filed with the petition. It must be filed no later than fifteen days after the Chapter 13 petition is filed. The form of plan shall conform to T.L.B.F. 3015-1.
- (2) The failure to timely file the plan shall result in the dismissal of the case pursuant to L.B.R. 505 and the United States Trustee's Standing Motion to Dismiss Deficient Case, without further notice, certification or hearing.

**(b) Notice of the Plan and Confirmation Hearing.**

- (1) When a Chapter 13 plan is filed with the petition, the Court will mail a copy of the plan along with the Notice of Meeting of Creditors which will contain the confirmation hearing date and the deadline to file objections to the plan. The Court will mail the plan by means of first class mail to the Chapter 13 trustee, the United States Trustee and to the addresses for parties as listed on the Creditors' Matrix filed in the case at the time of the mailing, subject to the redirection of mail by the Bankruptcy Noticing Center under 11 U.S.C. § 342. **The above mailing by the Court may not satisfy the service requirements of Fed.R.Bankr.P. 9014 and 7004; if not, the debtor is responsible for satisfying any applicable service requirements under those rules.**
- (2) If the plan is not filed with the petition, the debtor must forthwith serve a copy of the plan, within the time prescribed by T.L.B.R. 3015-1(a)(1), along with a legally sufficient notice setting forth the date, time and location of the confirmation hearing, the deadline to file objections to the plan, in substantial conformity with the language provided in the Notice of Meeting of Creditors section under "Filing of Plan, Hearing on Confirmation of Plan, Other Confirmation/Objection Deadlines".
- (3) No later than three business days following the debtor's mailing or transmission of any plan or amended plan, the debtor shall file a certificate of service setting forth the name of the document mailed and all parties and addresses to whom notice was provided.

- (4) The debtor is responsible for providing legally sufficient service and notice of the plan, the confirmation hearing, and objection date to any additional creditors added at any time during the case.

**(c) Objections to Confirmation.**

- (1) No later than three (3) days prior to the date first set for the meeting of creditors, objections to the plan shall be filed with the Court and served on the Standing Chapter 13 trustee, the debtor and debtor's counsel and shall clearly specify the grounds upon which they are based, including the citation of supporting legal authority, if any. **General objections will not be considered by the Court** and the failure to plead with specificity may result in the Court striking the objection.
  - (I) A creditor's objection as to the claim amount owed as provided in the plan must be accompanied by an attached payment history and categorical calculation (*e.g.*, fees, costs, principal, interest) of the amount the creditor asserts is owed.
  - (ii) Objections as to the debtor's expenses or Current Monthly Income calculations must specify each expense item or calculation to which an objection is raised and the basis for the objection.
- (2) In the absence of objections to the applicable plan, after compliance with the verification requirements and upon submission of the Verification of Confirmable Plan, the Court may confirm the plan without requiring any parties to appear at a hearing on confirmation.

**(d) Obligation to Meet and Confer.**

- (1) No later than 10 days following the first date set for the meeting of creditors, the debtor and all parties objecting to confirmation shall meet and confer in an effort to resolve or narrow the issues in dispute.
- (2) The failure to comply with the obligation to meet and confer may result in the Court striking the objection or denying confirmation, as applicable.

(3) No later than 14 days following the first date set for the meeting of creditors, the debtor shall file and serve on any objecting parties a certificate setting forth the following information:

(I) The debtor has filed an amended plan that satisfies all of the objections filed by \_\_\_\_\_ (names of objecting parties); and/or

(ii) The debtor filed an amended plan to address some of the objections filed by (names of objecting parties); and requests judicial determination of the following objections filed by (names of objecting parties):

\_\_\_\_\_  
\_\_\_\_\_

(iii) The debtor has not filed an amended plan to satisfy any objections filed and requests judicial determination of all of the objections filed by (names of objecting parties).

**(e) Amendments to the Plan Made Prior to Originally Scheduled Confirmation Hearing.**

(1) Until the initial confirmation hearing is held, any amendments to the Plan shall be filed no sooner than the day following the first scheduled meeting of creditors, but no later than thirteen days following that meeting.

(2) Amended plans filed prior to the initial hearing on confirmation shall be served on the Chapter 13 trustee, any parties who objected to the most recent prior plan and parties who entered their appearance in the case. (If the plan is amended although no objections were raised, it must be served on the Chapter 13 trustee, any parties adversely affected by the amended plan and parties who entered their appearance in the case.)

(3) At the initial hearing on confirmation, the Court will direct what further notice, if any, is required for the amendment and provide instructions regarding the notice and setting of a further hearing.

- (4) Unless otherwise ordered, previously filed objections to confirmation are deemed withdrawn and new objections must be timely filed addressing the amended plan *if* it is sent on notice with an opportunity to object.
- (5) The Court may confirm the amended plan at any hearing on confirmation if there are no continuing objections, no further notice of the plan is required and the debtor provides the Verification of Confirmable Plan.

(f) **Verification of Confirmable Plan, Compliance with 11 U.S.C. § 1325 and Submission of Statement of Consent Calendar Qualification.**

- (1) **Verification of Confirmable Plan.** If no objections to the plan or amended plan, as applicable, have been filed or remain pending, the debtor shall file a verification of the following:
  - (i) the PACER docket numbers for the applicable plan now pending confirmation and certificates of service filed related to the plan.
  - (ii) there are no outstanding objections to the plan to be confirmed, and the plan may be confirmed on the consent calendar without further notice or hearing.
  - (iii) the debtor has paid all amounts required to be paid under domestic support obligations that became payable after the date of the filing of the petition or the debtor has no domestic support obligations;
  - (iv) the debtor has filed all tax returns required under 11 U.S.C. § 1308;
  - (v) all statements in the plan to be confirmed are true and correct and the plan contains sufficient facts to allow confirmation;
  - (vi) the debtor (or the Court, as applicable), has provided appropriate notice of the plan and any amendments serving them as required under T.L.B.R. 3015-1, Fed.R.Bankr.P. 2002(b), 9014 and 7004, and 11 U.S.C. § 324(e) and (f); and
- (2) The Verification of Confirmable Plan shall be submitted no earlier than ten days following the first date set for the meeting of creditors. Attached to the Verification of Confirmable Plan shall be a proposed order for confirmation in substantial conformity with T.L.B.F. 3015-2.

(g) **Application of Fed.R.Bankr.P. 9006.**

- (1) The time constraints set forth in 11 U.S.C. § 1324 compel the Court to shorten the notice period for objections to confirmation in certain instances. Parties are required to file objections within the time frames set forth in the Notice of Meeting of Creditors, unless ordered otherwise.
- (2) The time constraints imposed by Section 1324 compel the Court to disfavor any parties' request for extensions or further shortening of time periods established by this Rule, the Interim Rules, Fed.R.Bankr.P. and Title 11.



**T.L.B.R. 4002-1 Debtor's Duties and Parties' Responsibilities Regarding Requests for Tax Information Under 11 U.S.C. § 521 (e) and (f)**

Direction to parties regarding requests for tax information and filing of tax information.

- (a) The debtor should redact all personal information from tax returns or transcripts filed with the Court. Redact the following: all but the last 4 digits of the social security number; all names of minor children; all but the last 4 digits of any bank, savings or similar accounts; and provide only birth year, not date of birth. **All tax information filed electronically with the Court must be submitted under the "tax information" event from the CM/ECF event list.**
- (b) The Court will not redact any information if the debtor fails to make the redactions.
- (c) Motions for the debtor's tax return or transcript under 11 U.S.C. § 521(f) must be filed with the Court and served on the debtor and debtor's counsel. The movant must describe the movant's status in the case, provide a description of tax information sought, indicate why the information cannot be obtained from any other sources, and state the need for and use of the information.
- (d) Any tax information provided under Section 521(e) and (f) is confidential and may only be disseminated as appropriate under the circumstances of the case. A party who obtains tax information or receives tax information pursuant to Section 521 shall not disseminate the same to third parties without prior Court authorization, except that the tax information may be provided to the United States Trustee or professionals retained for service in the case by the party with the tax information. Monetary or other sanctions may be imposed for improper use, disclosure or dissemination of tax information.
- (e) Within three business days of mailing or otherwise transmitting a copy of tax information upon a requesting party as ordered under T.L.B.R. 4002-1(c) and Section 521(f), the debtor shall file a certificate of service verifying that the information was served upon the requesting party.

## **T.L.B.R. 4004-1 Discharge**

- (a) Financial Management Course Certification in individual debtor Chapter 7 and 13 cases. The Court cannot grant a discharge to individual debtors in Chapter 7 and 13 cases without receipt of a statement regarding completion of a course in personal financial management as required by I.B.R. 1007(b)(7). Chapter 7 and 13 cases that have been fully administered, other than the granting of a discharge and the filing of the financial management course certification, will be closed by the Court without the entry of a discharge; a new filing fee will be required to reopen the case to file the financial management certification and to permit the entry of the discharge.
- (b) Individual debtor cases in which 11 U.S.C. § 522(q)(1) applies. The Court cannot grant a discharge if there is reasonable cause to believe that Section 522(q)(1) may be applicable to the debtor and there is a conviction of a felony as defined in Section 3156 of Title 18, or pending any proceeding in which the debtor may be found guilty of a felony of the kind described in Section 522(q)(1)(A), or may be liable for a debt of the kind described in Section 522(q)(1)(B). Prior to the entry of the discharge, any party, including the debtor, a creditor, case trustee, and United States Trustee, with knowledge that Section 522(q)(1) may apply to the debtor shall file a statement justifying the assertion that there is reasonable cause to believe Section 522 (q)(1) applies.

**Transitional Local Bankruptcy Form 3015-1, 13 Plan**  
[Caption as in Bankruptcy Official Form No. B16A]

**[DO NOT DELETE ANY PROVISION OF THIS FORM.  
MARK PROVISIONS THAT DO NOT APPLY AS N/A.  
ANY ADDITIONAL PROVISIONS MUST BE RECITED IN PART V. G.]**

**CHAPTER 13 PLAN INCLUDING VALUATION OF COLLATERAL AND CLASSIFICATION OF CLAIMS**

Date of Plan: \_\_\_\_\_

**I. RELEVANT INFORMATION**

**A.** Prior bankruptcies pending within one year of the petition date for this case:

Case No. & Chapter	Discharge or Dismissal/Conversion	Date

**B.** The debtor(s): \_\_\_\_ is eligible for a discharge; or  
\_\_\_\_ is not eligible for a discharge and is not seeking a discharge.

**C.** Prior states of domicile: within 730 days \_\_\_\_\_  
within 910 days \_\_\_\_\_.

The debtor is claiming exemptions available in the state of \_\_\_\_\_  
or federal exemptions \_\_\_\_.

**D.** The debtor owes or anticipates owing a Domestic Support Obligation as defined in 11 U.S.C. § 101(14A). Notice will/should be provided to these parties in interest:

**E.**

1. Parent \_\_\_\_\_
2. Government \_\_\_\_\_
3. Assignee or other \_\_\_\_\_

The debtor \_\_\_\_ has provided the Trustee with the phone number of the Domestic Support Obligation recipient or \_\_\_\_ cannot provide the phone number because it is not available.

**F.** The current monthly income of the debtor, as reported on Interim Form B22C is:  
\_\_\_\_ below \_\_\_\_ equal to or \_\_\_\_ above the applicable median income.

**II. PLAN ANALYSIS**

**A. Total Debt Provided for under the Plan and Administrative Expenses**

1. Total Priority Claims (Class One)
  - a. Unpaid attorney's fees ..... \$ \_\_\_\_\_  
Total attorney's fees are estimated to be \$ \_\_\_\_\_  
of which \$ \_\_\_\_\_ has been prepaid.
  - b. Unpaid attorney's costs (estimated) ..... \$ \_\_\_\_\_
  - c. Total Taxes ..... \$ \_\_\_\_\_  
Federal: \$ \_\_\_\_\_; State: \$ \_\_\_\_\_
  - d. Other ..... \$ \_\_\_\_\_
2. Total of payments to cure defaults (Class Two) ..... \$ \_\_\_\_\_

3. Total payment on secured claims (Class Three) . . . . . \$ \_\_\_\_\_
4. Total of payments on unsecured claims (Class Four) . . . . . \$ \_\_\_\_\_
5. Sub-total . . . . . \$ \_\_\_\_\_
6. Total trustee's compensation (10% of debtor's payments) . . . . . \$ \_\_\_\_\_
7. Total debt and administrative expenses . . . . . \$ \_\_\_\_\_

**B. Reconciliation with Chapter 7**

***THE PROPERTY VALUES SET FORTH BELOW ARE LIQUIDATION VALUES  
RATHER THAN REPLACEMENT VALUES WHICH MAY APPEAR IN CLASS THREE IN THE PLAN.***

1. Assets available to Class Four unsecured creditors if Chapter 7 filed:
  - a. Value of debtor's interest in non-exempt property . . . . . \$ \_\_\_\_\_

Property	FMV	Less costs of sale	Less Liens	X Debtor's Interest	Less Exemptions	= Net Value

- b. Plus: value of property recoverable under avoiding powers . . . . . \$ \_\_\_\_\_
  - c. Less: estimated Chapter 7 administrative expenses . . . . . \$ \_\_\_\_\_
  - d. Less: amounts payable to priority creditors other than costs of administration . . . . . \$ \_\_\_\_\_
  - e. Equals: estimated amount payable to Class Four creditors if Chapter 7 filed (if negative, enter zero) . . . . . \$ \_\_\_\_\_
2. Estimated payment to Class Four unsecured creditors under the Chapter 13 Plan plus any funds recovered from "other property" described in Section III.A.3 below. . . . \$ \_\_\_\_\_

**III. PROPERTIES AND FUTURE EARNINGS SUBJECT TO THE SUPERVISION AND CONTROL OF THE TRUSTEE**

- A.** The debtor submits to the supervision and control of the Trustee all or such portion of the debtor's future earnings or other future income as is necessary for the execution of the Plan, including:

1. Future earnings of \$\_\_\_\_\_ per month which shall be paid to the trustee for a period of approximately\_\_\_\_\_months, beginning\_\_\_\_\_, 20\_\_\_\_\_.

Amount	Number of Months	Total
One time payment and date		

2. Amounts for the payment of Class Five post-petition claims included in above . . . . \$ \_\_\_\_\_
3. Other property (specify):\_\_\_\_\_.

***AT THE TIME THE FINAL PLAN PAYMENT IS SUBMITTED TO THE TRUSTEE, THE DEBTOR SHALL FILE WITH THE COURT THE CERTIFICATION REGARDING DOMESTIC SUPPORT OBLIGATIONS REQUIRED BY 11 U.S.C. § 1328(a) AND, IF NOT ALREADY FILED, INTERIM FORM B23 REGARDING COMPLETION OF FINANCIAL MANAGEMENT INSTRUCTION REQUIRED BY 11 U.S.C. § 1328(g)(1).***

B. Debtor agrees to make payments under the Plan as follows:

\_\_\_ VOLUNTARY WAGE ASSIGNMENT TO EMPLOYER:  
(Employer's Name, address, telephone number)

\_\_\_ DIRECT PAYMENT:  
From debtor to Trustee

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
( ) \_\_\_\_\_

Paid in the following manner:

\$ \_\_\_\_\_ to be deducted \_\_\_\_\_ (weekly, monthly, per pay period, etc.)

#### IV. CLASSIFICATION AND TREATMENT OF CLAIMS

***CREDITOR RIGHTS MAY BE AFFECTED. A WRITTEN OBJECTION MUST BE FILED IN ORDER TO CONTEST THE TERMS OF THIS PLAN. CREDITORS OTHER THAN THOSE IN CLASS TWO A AND CLASS THREE MUST FILE TIMELY PROOFS OF CLAIM IN ORDER TO RECEIVE THE APPLICABLE PAYMENTS.***

A. **Class One – Claims entitled to priority under 11 U.S.C. § 507.** Unless other provision is made in paragraph V.(C), each creditor in Class One shall be paid in full in deferred cash payments prior to the commencement of distributions to any other class (except that the payments to the Trustee shall be made by deduction from each payment made by the debtor to the Trustee) as follows:

1. Allowed administrative expenses

- a. Trustee's compensation (10% of amounts paid by debtor under this Plan) . . . . . \$ \_\_\_\_\_
- b. Attorney's Fees (estimated and subject to allowance) . . . . . \$ \_\_\_\_\_
- c. Attorney's Costs (estimated and subject to allowance) . . . . . \$ \_\_\_\_\_

2. Other priority claims to be paid in the order of distribution provided by

11 U.S.C. § 507 (if none, indicate) . . . . . \$ \_\_\_\_\_

- a. Domestic Support Obligations: **A proof of claim must be timely filed in order for the Trustee to distribute amounts provided by the plan.**

Priority support arrearage: Debtor owes past due support to \_\_\_\_\_  
in the total amount of \$ \_\_\_\_\_ that will be paid as follows:

[ ] Distributed by the Trustee pursuant to the terms of the Plan; or

[ ] Debtor is making monthly payments via a wage order [ ] or directly [ ] (reflected on Schedule I or J) in the amount of \$ \_\_\_\_\_ to \_\_\_\_\_. Of that monthly amount, \$ \_\_\_\_\_ is for current support payments and \$ \_\_\_\_\_ is to pay the arrearage.

Other: For the duration of the plan, during the anniversary month of confirmation, the debtor shall file with the Court and submit to the Trustee an update of the required information regarding Domestic Support Obligations and the status of required payments.

- b. Federal Taxes . . . . . \$ \_\_\_\_\_
- c. State Taxes . . . . . \$ \_\_\_\_\_
- d. Other Taxes (describe): \_\_\_\_\_ \$ \_\_\_\_\_
- e. Other Class One Claims (if any) (describe): \_\_\_\_\_ \$ \_\_\_\_\_

[ ] None

## B. Class Two – Defaults

1. **Class Two A (if none, indicate) – Claims set forth below are secured only by an interest in real property that is the debtor's principal residence.** Defaults shall be cured and regular payments shall be made:

☐ None

Creditor	Total Default Amount to be Cured <sup>1</sup>	Interest Rate	Total Amount to Cure Arrearage	No. of Months to Cure	Regular Payment per _____ (i.e. month, week, etc.) to be Made Directly to Creditor and Date of First Payment

2. **Class Two B (if none, indicate) – Pursuant to 11 U.S.C. § 1322(b)(5), secured (other than claims secured only by an interest in real property that is the debtor's principal residence) or unsecured claims set forth below on which the last payment is due after the date on which the final payment under the Plan is due.** Defaults shall be cured and regular payments shall be made:

☐ None

Creditor	Collateral	Total Default Amount to be Cured <sup>2</sup>	Interest Rate	Total Amount to Cure Arrearage	No. of Months to Cure	Regular Payment per _____ (i.e. month, week, etc.) to be Made Directly to Creditor and Date of First Payment

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<sup>1</sup> The lesser of this amount or the amount specified in the Proof of Claim.

<sup>2</sup> The lesser of this amount or the amount specified in the Proof of Claim.

3. **Class Two C – Executory contracts and unexpired leases.** Executory contracts and unexpired leases are rejected, except the following which are assumed:

Other Party to Lease or Contract	Property, if any, Subject to the Contract or Lease	Total Amount to Cure, if any	No. of Months to Cure	Regular Monthly Payment Made Directly to Creditor and Date of Payment

***IN THE EVENT THAT DEBTOR REJECTS THE LEASE OR CONTRACT, CREDITOR SHALL FILE A PROOF OF CLAIM OR AMENDED PROOF OF CLAIM REFLECTING THE REJECTION OF THE LEASE OR CONTRACT WITHIN 30 DAYS OF THE ENTRY OF THE ORDER CONFIRMING THIS PLAN, FAILING WHICH THE CLAIM MAY BE BARRED.***

- C. **Class Three – All other allowed secured claims (other than those designated in Classes Two A and Two B above) shall be divided into separate classes to which 11 U.S.C. § 506 shall or shall not apply as follows:**

1. **Secured claims subject to 11 U.S.C. § 506.** The following creditors shall retain the liens securing their claims *until discharge under 11 U.S.C. § 1328 or payment in full under nonbankruptcy law*, and they shall be paid the amount specified which represents the lesser of:
  - a. The value of their collateral or
  - b. the remaining balance payable on the debt over the period required to pay the sum in full.

Creditor	Specify Treatment (select a or b above)	Description of Collateral	Replacement Value of Collateral	Amount of Debt as Scheduled	Interest Rate	Total Amount Payable

***IF DEBTOR IS PROPOSING TO MODIFY THE RIGHTS OF A SECURED CREDITOR, DEBTOR MUST SPECIFICALLY SERVE SUCH CREDITOR IN THE MANNER SPECIFIED IN FED.R.BANKR.P. 9014 AND 7004.***

2. **Secured claims to which 11 U.S. C. § 506 shall not apply.** The following creditors shall retain the liens securing their claims, and they shall be paid the amount specified which represents the remaining balance payable on the debt over the period required to pay the sum in full:

Creditor	Description of Collateral	Amount of Debt as Scheduled	Interest Rate	Total Amount Payable

3. The debtor surrenders the following property securing an allowed secured claim to the holder of such claim:

Creditor	Property	Anticipated Date of Surrender

Relief from the automatic stay to permit enforcement of the liens encumbering surrendered property shall be deemed granted by the Court at the time of confirmation of this Plan. With respect to property surrendered, no distribution on the creditor's claim shall be made unless that creditor files a proof of claim or an amended proof of claim to take into account the surrender of the property.

4. **Adequate Protection:** The following creditor(s) shall receive payments in the nature of adequate protection pursuant to T.L.B.R. 2083-1, if applicable, or upon confirmation of the plan as follows:

Creditor	Collateral	Adequate Protection Payment Paid Through the Trustee	Adequate Protection Payment Paid By the debtor(s)	Total Payable Monthly in Equal Periodic Payments

[ ] None

**D. Class Four – Allowed unsecured claims not otherwise referred to in the Plan.** Class Four Claims are provided for in an amount not less than the greater of:

- The amount necessary to meet the best interests of creditors pursuant to 11 U.S.C. § 1325(a)(4) as set forth in Part II; or
- Total disposable income for the applicable commitment period defined by 11 U.S.C. § 1325(b)(1)-(4).

The monthly disposable income of \$\_\_\_\_\_ has been calculated on Form B22C (Chapter 13). Total disposable income is \$\_\_\_\_\_ which is the product of monthly disposable income of \_\_\_\_\_ times the applicable commitment period of \_\_\_\_\_.

- a. [ ] Class Four claims are of one class and shall be paid pro rata the sum of \$\_\_\_\_\_ and shall be paid all funds remaining after payment by the Trustee of all prior classes; or  
A timely filed claim, found by the Court to be non-dischargeable pursuant to 11 U.S.C. § 523(a)(2), (4), or (6), will share in the distribution to Class Four. Collection of the balance is stayed until the case is dismissed, converted to a Chapter 7 or discharge enters, unless ordered otherwise.
- b. [ ] Class Four claims are divided into more than one class as follows:

\_\_\_\_\_  
\_\_\_\_\_.

**E. Class Five (if none, indicate) – Post-petition claims allowed under 11 U.S.C. § 1305.**

Post-petition claims allowed under 11 U.S.C. § 1305 shall be paid as follows: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_.

[ ] None



## V. OTHER PROVISIONS

A. Payment will be made directly to the creditor by the debtor(s) on the following claims:

Creditor	Collateral, if any	Monthly Payment Amount	No. of Months to Payoff

B. The effective date of this Plan shall be the date of entry of the Order of Confirmation.

### C. Order of Distribution:

1. ☐ The amounts to be paid to the Class One creditors shall be paid in full, except that the Chapter 13 Trustee's fee shall be paid up to, but not more than, the amount accrued on actual payments made to date. After payment of the Class One creditors, the amounts to be paid to cure the defaults of the Class Two A, Class Two B and Class Two C creditors shall be paid in full before distributions to creditors in Classes Three, Four, and Five (strike any portion of this sentence which is not applicable). The amounts to be paid to the Class Three creditors shall be paid in full before distributions to creditors in Classes Four and Five. Distributions under the plan to unsecured creditors will only be made to creditors whose claims are allowed and are timely filed pursuant to Fed.R.Bankr.P. 3002 and 3004 and after payments are made to Classes One, Two A, Two B, Two C and Three above in the manner specified in Section IV.

2. ☐ Distributions to classes of creditors shall be in accordance with the order set forth above, except: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

D. **Motions to Void Liens under 11 U.S.C. § 522(f).** In accordance with Fed.R.Bankr.P. 4003(d), the debtor intends to file or has filed, *by separate motion served in accordance with Fed.R.Bankr.P. 7004*, a motion to void lien pursuant to 11 U.S.C. § 522(f) as to the secured creditors listed below:

Creditor	Collateral, if any	Date Motion to Void Lien Filed	Date of Order Granting Motion or Pending

### E. Student Loans:

☐ No student loans  
☐ Student loans are to be treated as follows: \_\_\_\_\_  
\_\_\_\_\_.

**F. Restitution:**

- [ ] No restitution owed
- [ ] Debtor owes restitution in the total amount of \$\_\_\_\_\_ which is paid directly to \_\_\_\_\_ in the amount of \$\_\_\_\_\_ per month for a period of \_\_\_\_\_ months.
- [ ] Debtor owes restitution to be paid as follows:\_\_\_\_\_.

**G. Other (list all additional provisions here):**\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_.

**VI. REVESTMENT OF PROPERTY IN DEBTOR**

All property of the estate shall vest in the debtor at the time of confirmation of this Plan.

**VII. INSURANCE**

Insurance in an amount to protect liens of creditors holding secured claims is currently in effect and will [ ] will not [ ] (check one) be obtained and kept in force throughout the period of the Plan.

Creditor to Whom This Applies	Collateral Covered	Coverage Amount	Insurance Company, Policy No. and Agent Name, Address and Telephone No.

- [ ] Applicable policies will be endorsed to provide a clause making the applicable creditor a loss payee of the policy.

**VIII. POST-CONFIRMATION MODIFICATION**

The debtor shall file and serve upon all parties in interest a modified plan which will provide for allowed priority and allowed secured claims which were not filed and/or liquidated at the time of confirmation. The value of property to satisfy 11 U.S.C. § 1325(a)(4) may be increased or reduced with the modification if appropriate. The modification will be filed no later than one year after the petition date. Failure of the debtor to file the modification may be grounds for dismissal.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature of Debtor

\_\_\_\_\_  
Signature of Attorney for Debtor, or of *Pro Se* Debtor

\_\_\_\_\_  
Signature of Co-Debtor Spouse

\_\_\_\_\_  
Attorney's or *Pro Se* Debtor's Address

\_\_\_\_\_  
City, State and Zip Code

\_\_\_\_\_  
Telephone Number

**Transitional Local Bankruptcy Form 3015-2, 13 Order**

[Caption as in Bankruptcy Official Form No. B16A]

**Order Confirming Chapter 13 Plan**

IT HAVING BEEN DETERMINED AFTER NOTICE AND A HEARING:

That the Plan complies with Chapter 13 and all other applicable provisions of Title 11, United States Code;

That any fee, charge, or amount required under Chapter 123 of Title 28, United States Code, or by the Plan, to be paid before confirmation, has been paid;

That the action of the debtor(s) in filing the petition was in good faith;

That the Plan has been proposed in good faith and not by any means forbidden by law;

That the value, as of the effective date of the Plan, of property to be distributed under the Plan on account of each unsecured claim is not less than the amount that would be paid on such claim if the estate of the debtor(s) were liquidated under Chapter 7 of Title 11, United States Code on such date;

That the Plan complies with the provisions of 11 U.S.C. §1325(a)(5) as to holders of secured claims.

**IT IS ORDERED:**

The debtor(s)' Plan is confirmed;

The debtor(s) shall make payments in accordance with the terms of the Plan.

Creditors holding liens on property which the Plan specifies is to be surrendered by the debtor(s) are hereby granted relief from the stay imposed by 11 U.S.C. § 362 and may enforce their rights in and to said property.

The assumption of executory contracts on the terms stated in the Plan is approved. If the plan provides for the rejection of an executory contract or unexpired lease, the party to the rejected executory contract or lease shall file a proof of claim within 30 days of the date of the entry of this Order, failing which the claim may be barred.

BY THE COURT:

Dated: \_\_\_\_\_

\_\_\_\_\_  
United States Bankruptcy Judge